

**FOR IMMEDIATE RELEASE: March 10, 2003**

CONTACT: Maria Velasquez, Press Secretary (619) 235-5725 (voicemail & pager)

**CYTODYNE TECHNOLOGIES, INC  
DIETARY SUPPLEMENT MAKER FACES CIVIL  
LAWSUIT  
SAN DIEGO CITY ATTORNEY'S OFFICE  
JOINS COURT ACTION**

**San Diego, CA:** The San Diego City Attorney's Office announced it joined the District Attorney Offices in San Francisco, Marin, Napa, Sonoma, Kern, Alameda, San Benito, and Monterey Counties in filing a civil lawsuit to halt misleading advertising and other unfair business practices involving California sales of Xenadrine RFA-1, a dietary supplement that contains ephedra. The company's advertisements tout, among other things, that Xenadrine RFA-1 has been clinically proven to increase fat loss by "an astounding seventeen times" more than diet and exercise alone. San Diego Deputy City Attorney Joan McNamara says, "the advertisements conspicuously fail to disclose a known association between the use of dietary supplements containing ephedra and such medical conditions as hypertension, cardiac arrhythmia, seizures, stroke, heart attack, and death. " After an extensive investigation, the lawsuit was filed in Napa County Superior Court today against Cytodyne Technologies, Inc. and its corporate officer, Robert Chinery. The complaint alleges that Cytodyne and Chinery made false and misleading claims about the ability of Xenadrine to cause weight loss; preserve muscle tone; increase strength, energy, and endurance; and burn fat safely without muscle loss. The suit alleges that the false and misleading claims constitute unfair business practices under California law. The lawsuit seeks an injunction prohibiting defendants from making these and other illegal claims about the efficacy and safety of Xenadrine RFA-1 without a reliable scientific basis for the claims; \$2,500 in civil penalties for each unfair business practice; \$2,500 in civil penalties for each instance of false and misleading advertising; and other relief.

###